

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PAVEL MOLODETSKIY,

Plaintiff,

v.

**NORTEL NETWORKS SHORT-TERM
AND LONG-TERM DISABILITY
PLAN,**

Defendant.

**No. 3:07-1046
Judge Echols**

ORDER

For the reasons stated in the accompanying Memorandum, the Court rules as follows:

(1) Plaintiff Pavel Molodetskiy's Motion for Judgment on the ERISA Record (Docket Entry No. 14) is hereby GRANTED;

(2) Defendant's Motion For Judgment On The Administrative Record (Docket Entry No. 16) is hereby DENIED;

(3) the decision of Nortel Networks Short-Term And Long-Term Disability Plan to terminate Plaintiff's long-term disability benefits is hereby REVERSED;

(4) the matter is hereby REMANDED to the Nortel Networks Short-Term And Long-Term Disability Plan for a full and fair inquiry in accordance with Sixth Circuit precedent into whether Plaintiff was totally disabled under the Plan effective May 18, 2005;

(5) this case is hereby DISMISSED WITH PREJUDICE; and

(6) entry of this Order on the docket shall constitute entry of final Judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE